

1 SCOTT J. SAGARIA (BAR # 217981)
2 PATRICK CALHOUN (BAR # 56671)
3 JOE ANGELO (BAR # 268542)
SAGARIA LAW
4 2033 GATEWAY PL., 5th FLOOR
SAN JOSE, CALIFORNIA 95110
(408) 279-2288
(408) 279-2299 FAX

6 Attorneys for Debtor-in-Possession

7
8 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

9 In Re:

Case No. 14-30381-HLB

10 WAUKEEN QUANDRICO MCCOY

Chapter 11

11 Debtor.

12 **APPLICATION FOR APPROVAL OF
EMPLOYMENT OF TAX PREPARER BY
DEBTOR IN POSSESSION**

13 NO HEARING REQUESTED

14 Judge: Hon. Hannah Blumenstiel

15
16 **TO THE HONORABLE HANNAH BLUMENSTIEL, UNITED STATES
BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE AND
OTHER PARTIES IN INTEREST:**

17
18 Debtor, Waukeen Quandrico McCoy (“Debtor”), hereby apply to the Court for an order
authorizing them to employ, generally, Sean Allaband, as his tax preparer in this Chapter 11 case.

19
20 1. On March 12, 2014, Debtor filed a voluntary petition herein under Chapter 13 of
the Bankruptcy Code. On June 5, 2014 this Court entered an Order converting Debtor’s case
from one under Chapter 13 to one under Chapter 11. Debtor is the debtor-in-possession with all
powers and rights of a trustee pursuant to 11 U.S.C. § 1107.

21
22 2. Debtor wishes to employ Sean Allaband, CPA (hereinafter “Tax Preparer”), as
their accountant under 11 U.S.C. §327 to perform the necessary accounting work associated with
the Chapter 11 proceeding.

23
24 3. The Court has jurisdiction over this application pursuant to 28 U.S.C. §§ 157 and
1334. Venue is proper in this proceeding and this application is proper in this district pursuant to

1 28 U.S.C. §§ 1408 and 1409. The statutory source for relief sought herein is § 327(a) of the
2 Bankruptcy Code.

3 4. Debtor wishes to employ said tax preparer for the reason that Tax Preparer, has
considerable experience in matters of this character, and believes that Tax Preparer is well suited
4 to represent her interests in the necessary tax preparations.

5 5. The professional services to be rendered include:
6 (a) Preparing the federal and state income tax returns with supporting schedules;
7 (b) Assisting with the preparation of the monthly operating reports;
8 (c) Amending prior tax returns to determine liabilities owed to the Internal Revenue
9 Service and Franchise Tax Board; and
10 (d) Maintain appropriate accounting records for Debtor's law practice in order to
minimize any future liability that may be owed to the Internal Revenue Service and Franchise
11 Tax Board.

12 6. Pursuant to the Declaration of Tax Preparer, which is being filed concurrently
herewith, Debtor believes that neither Tax Preparer, nor any employee of Tax Preparer, holds nor
13 represents interests adverse to that of the debtor or the debtor's estate and that Tax Preparer is a
14 disinterested person within the meaning of 11 U.S.C. § 101 (13).

15 7. Tax Preparer has agreed to perform the work requested and the Applicant desires
16 to employ Tax Preparer on an hourly/flat fee basis.

17 8. Debtors intend to pay Tax Preparer for tax preparation services, from post-petition
income. Tax Preparer will apply to the Court for allowances of compensation and
18 reimbursement of expenses in accordance with the applicable provisions of the Bankruptcy
Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of this Court.

19 9. Tax Preparer represents that he has no interest adverse to debtor in possession or
the estate in the matters upon which it is to be engaged for the debtor in possession, and its
20 employment would be in the best interests of this estate

21 **WHEREFORE** Debtors respectfully request that the Court enter an order (i)
authorizing them to employ and retain Tax Preparer, and (ii) grant such other and further relief
22 as is just and proper.

23 Dated: July 14, 2014

24 */s/ Waukeen McCoy*
25 Waukeen McCoy

26 APPLICATION TO EMPLOY TAX PREPARER FOR DEBTOR - - Page 2 of 2